

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
 Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday November 3, 2021

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:05 pm by Commission Chair Mark Fine.

Commissioners present: [14] ANDERSON, BENNETT, GELFOUND, FINE, HERRON, HOLMES, MOORE, MURTHY, MYO KHIN, NERLINGER, SEEBOLD, SMITH, STEINBACH AND WALKER.

Commissioners absent: None (one Vacancy)

Staff present WALTER WILSON, ESQ. ASSOCIATE COUNTY ATTORNEY; Staff: IFE FABAYO, INVESTIGATOR, OCOC, FRANK DEMARAIS, DEPUTY DIRECTOR, DHCA, NICOLETTE FAHS, OFFICE SERVICES COORDINATOR, OCOC.

Guests: Panel Chairs, Jeffrey Hamberger, Esq., Rene Sandler, Esq., Shuaa Tajammul, Esq. EX-OFFICIO RAND FISHBEIN, PhD, Saboura# Goldman & Colombo# P.C., Jawad Huleis- Longmead Crossing CA, Donnie Simpson- King Farm Citizens Association, Irina Smirnoff- Montgomery West HOA, Ronald Ely- Dufief Homes Association, Elizabeth Nolan -Director, 4620 Condominium Board, Neil Tender- Christopher Condominium, Barry Jackson- KFCA, Jo Ellen Bilanin, Glen McEwen, Jim Cagley,- Tanterra HOA, David Polinsky -Turnberry Courts, Debra Schmeidler, George Perry, Esq. -Falls Grove Condominium, Susan Mezey- 4620 N Park Ave Condo, Shirly Lake- Eccleston and Wolf, Tesh -GPV, Frank Luncheon- Aurora Condo, Jacquelyn Roberts- Waterford Place Homeowners Association, Inc., Jack Rich, Yvette Rich- Mutual 11, Ulani Prater Gulstone- Parkside Condominium

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1. **Approval of Minutes:** Commissioner Bennett moved to approve the minutes of October monthly meeting. Commissioner Smith seconding. There was no discussion. All voted in favor and the motion carried.
 2. **The Chairman yielded the floor to Deputy Director Frank Demarais, of DHCA.** Mr. Demarais addressed those in attendance
 3. **Community Forum: Mr. Liderman** had a question on Jurisdiction prior to mediation and a brief discussion of mediation did not materialize. **Ms. Finkelstein** asked that the Commission use "AR" caption for individuals. There was a discussion on "closed caption" and the mispronunciation of words by the "Closed Caption". Mr. Wilson of the OCA stated that he is not aware of any stenographer being used for any Commission meetings within the County. He and Mr. Fine went on to say that if an ADA request was made, it would need to be made to the Dept. of Housing and Community Affairs. Mr. Willen spoke regarding issues with Greater Olney HOA. He discussed the "errors" of the CCOC regarding billing of his association. We discussed that the DHCA, Licensing and CCOC have been

working to correct issues as there are three sub associations involved and the Master was paying fees for all sub associations, but not updating records. the misstatements regarding Licensing. All errors have been corrected. Mr. Willen also brought up issues where he was asking that the “Books and Records” of the CCOC be audited. Mr. Wilson suggested that Mr. Willen make an MPIA request of DHCA. Mr. Willen believes there are improprieties within the DHCA and program. Mr. Demarais suggested that Mr. Willen contact him directly to answer his inquiry and satisfy his request.

4. **Submission of disputes for Commission consideration: Jurisdiction – Default cases:**

- a. **#2022-016, Longmead Crossing CSA v. Dejen – Commissioner Gelfound** moved to **send the case back to staff for additional information and documentation** and **Commissioner Bennett** seconded the motion. **The motion was carried by the Commission**, by unanimous consent.
- b. **#2021-067, Joseph v. Middlebrook Commons Townhouse Association- Commissioner Gelfound** moved to **deny jurisdiction on the case**, and **Commissioner Anderson** seconded the motion. **The motion was carried by the Commission**, by unanimous consent.

5. **Jurisdiction - Contested cases:**

- a) **#2022-001, Llewellyn, Et. Al. v. West Spring Condominium– Commissioner Gelfound** moved to **deny jurisdiction on the case** and **Commissioner Bennett** seconded the motion. **The motion was carried by the Commission with Commissioners Fine and Steinbach recusing. 12/0/2**
- b) **2021-083, Richardson v. Heron’s Cove Condominium – Commissioner Gelfound** moved to **deny jurisdiction on the case** and **Commissioner Anderson** seconded the motion. **The motion was carried by the Commission with Commissioners Fine and Steinbach recusing. 12/0/2.**
 - a. **#2021-097, Vaziri v. Westlake B Condominium**
 - b. **#2021-095, Gohari v. Westlake B Condominium**
 - c. **#2021-091, Liderman v. Westlake B Condominium**
 - d. **#2021-089, Karamlou v. Westlake B Condominium**
 - e. **#2021-087, Etminan v. Westlake B Condominium**
 - f. **#2021-085, Tuvin v. Westlake B. Condominium**
 - g. **#2022-007, Jolles, Et. Al. v. Westlake B Condominium**
Commissioner Gelfound moved to **Accept jurisdiction of case’s #2021-097, Vaziri v. Westlake B Condominium, #2021-095, Gohari v. Westlake B Condominium, #2021-091, Liderman v. Westlake B Condominium, #2021-089, Karamlou v. Westlake B Condominium, #2021-087, Etminan v. Westlake B Condominium, #2021-085, Tuvin v. Westlake B. Condominium #2022-007**, and **Commissioner Anderson** seconded the motion. **The motion was carried by the Commission with Commissioners Fine and Smith recusing. 12/0/2. The Commission also agreed notify the parties that if any party wished to enter into mediation they could do so prior to a hearing, by notifying they office.**

6. Decisions and orders issued-
 - a. **#2021-053, Otto v. Kenwood Place Condominium**
7. Decisions and Orders on Appeal (in Circuit Court for Montgomery, MD)
 - a. #2021-004, O'Neill v. 8101 Connecticut Avenue Condominium (Order pending)
 - b. #2021-042, King Farm Citizens Assembly v. Siguel (Petition for Judicial Review filed on August 24, 2021)
8. **County Attorney's report** Mr. Wilson asked to get the latest list of Commissioners so he could validate all of the Commissioners have completed the required training.
9. **DHCA status report:** The financial report case statistics for **October** was reviewed with those in attendance by Deputy Director Frank Demarais.
10. **Chairman's Report:** In the package
 - a) There was an update on zoom Director Training attendance.
 - b) Thanks again to the Commissioners who assisted in the Hampshire Green Annual Election.
 - c) There was an overview of the State Common Ownership Task Force given to the Commission.
 - d) Acknowledgment to Arthur Dubin who was in attendance.
 - e) Discussion of DHCA in attendance at the Executive Committee re: staff challenges.
 - f) Discussion of election of Chair and Vice Chair, please send to Chair for Announcement in December. The Chair would like to have a meet and greet the candidates, in mid-December.
 - g) Del. Holmes inquired about term ending requirements. The Chair explained that generally, Commissioners serve a 3 year term, with the availability of a 2nd term of 3 years. Terms are up on January 31, but can be held over for 6 months or until replaced, which ever comes first.
 - h) The Chair discussed that the appointment would be made of the Nominating Committee, to fill vacancies.
11. **Committee reports:**
 - a. **Education Outreach Committee** – None
 - b. **Executive Committee** – None
12. Old Business: None
13. New Business: None
14. **Adjournment:** Commissioner Gelfound moved to **adjourn the meeting**, Commissioner Anderson seconded the motion. All in favor. Meeting adjourned at 8:37 pm.

THE NEXT MONTHLY MEETING WILL BE ON DECEMBER 5, 2021.

Zoom invitations have been sent